

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Jinsil Hwang **FILE #**10-005-510
 2. **APPLICANT:** Jinsil Hwang **HEARING DATE:** January 28, 2010
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
 4. **LOCATION:** 1204 Pacific St, SW corner at Griffith
 5. **PIN & LEGAL DESCRIPTION:** 332922440064; SCHORR'S SUBDIVISION EX W 2FT LOT 2; AND ALL OF LOT 1 BLK 2 IN LARKINS SUB; ALSO IN SD SCHORRS SUB E 65 FT OF LOT 1 LOT 1
 6. **PLANNING DISTRICT:** 4
 7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** R4
 8. **STAFF REPORT DATE:** January 15, 2010 **BY:** Sarah Zorn
 9. **DATE RECEIVED:** January 1, 2010 **60-DAY DEADLINE FOR ACTION:** March 2, 2010
-

- A. **PURPOSE:** Re-establishment of nonconforming use as a duplex
- B. **PARCEL SIZE:** 63 ft. (Pacific) x 124 ft. (Griffith) = 7,840 sq. ft.
- C. **EXISTING LAND USE:** R-Duplex
- D. **SURROUNDING LAND USE:**
 - North: Interstate 94
 - East: Single family residential (R4)
 - South: Single family residential (R4)
 - West: Single family residential (R4)
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** There is no zoning history specific to this property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 4 Council had not commented at the time this staff report was prepared.
- H. **FINDINGS:**
 1. The property was built in 1889 as a side-by-side duplex. In March of 2007 it was condemned and it was placed on the vacant building list in October that year. A complaint in February of 2009 indicated that work was being done on the property without a permit, a permit was subsequently issued. The applicant was instructed to re-establish the legal nonconforming duplex use because the property had been vacant for more than 365 days.
 2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This condition is met. The property was constructed as a side-by-side duplex. It would be unreasonable to use this structure as a single family dwelling.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This condition is met. The proposed duplex use is equally appropriate as the previous use as a duplex.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This condition is met. The property was constructed as a side-by-side duplex. Its continued use as a duplex cannot be considered detrimental to the existing character of development in the immediate neighborhood.

- (4) *The proposed use is consistent with the comprehensive plan.* This condition is met. Both the 1986 District 4 plan and the proposed District 4 plan summary state concerns regarding rental properties with absentee landlords and sub-dividing existing homes to increase density, but the applicant has stated her intent to occupy one of the two units and the existing home was built as two units. In addition, the Housing Policy Plan supports production of rental housing (Policy 5.3) and the Land Use Plan supports a range of housing types (Objective 5.3). The proposed Housing Policy Plan lists a policy of increasing housing choices across the city to support economically diverse neighborhoods (strategy 1.1).
- (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This condition is met. The petition was found sufficient on January 12, 2010: 10 parcels eligible; 7 parcels required; 7 parcels signed.
- 3 The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
- A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This guideline is met. The property is 7,840 square feet with approximately 63 feet of street frontage along Pacific.
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This guideline is met. The applicant has provided floor plans that show approximately 2,100 sq. ft. of gross living area and the units are of a sufficient size.
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This guideline is met. While there is no garage on the property, there is room to park two vehicles in the rear yard. In addition, there is ample on-street parking in this area.
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance.* This guideline is met. The applicant has not proposed any significant remodeling other than that required by code.
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.* This guideline can be met. The applicant will need to work with the Department of Safety and Inspections regarding the certificate of occupancy and code compliance issues.
- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the Re-establishment of nonconforming use as a duplex subject to the condition that the applicant shall obtain a certificate of occupancy for a duplex.



NONCONFORMING USE PERMIT APPLICATION

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # 10-005510
Fee: 650.00
Tentative Hearing Date: 1-28-10

PD=4

332922440064

APPLICANT

Name Jinsil Hwang
Address 1475 HIGHVIEW AVE
City EAGAN St. MN Zip 55121 Daytime Phone 651-248 6914
Name of Owner (if different) _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 1204 PACIFIC ST ST PAUL MN 55121
Legal Description _____
Current Zoning R4
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 102, Subsection i, Paragraph E of the Zoning Code.
The permit is for: ☐ Change from one nonconforming use to another (para. 3 in Zoning Code)
☒ Re-establishment of a nonconforming use vacant for more than one year (para. 5)
☐ Legal establishment of a nonconforming use in existence at least 10 year (para. 1)
☐ Enlargement of a nonconforming use (para. 4)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.
CHANGE IN USE: Present / Past Use Two Units
OR
RE-ESTABLISHMENT: Proposed Use Two Units
Additional information for all applications (attach additional sheets if necessary):
Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

OK 2111
650.00
1-7-10

Applicant's Signature Jinsil Hwang Date 1/6/09 City Agent pd 1-7-10

Findings:**1. Reasonably or economically be used:**

I would not have purchased if not a duplex. Amount of money was the same or equal to a duplex

2. Equally appropriate or more appropriate:

It was always a duplex. Went vacate for a year.

3. Not detrimental to existing character of development:

It will be owner occupied

Continued in family for college aged and high school aged children

The continued use will be within the family

The neighborhood is mixed use.

Rental signs are displayed down the street

There appears to be more duplex down the street

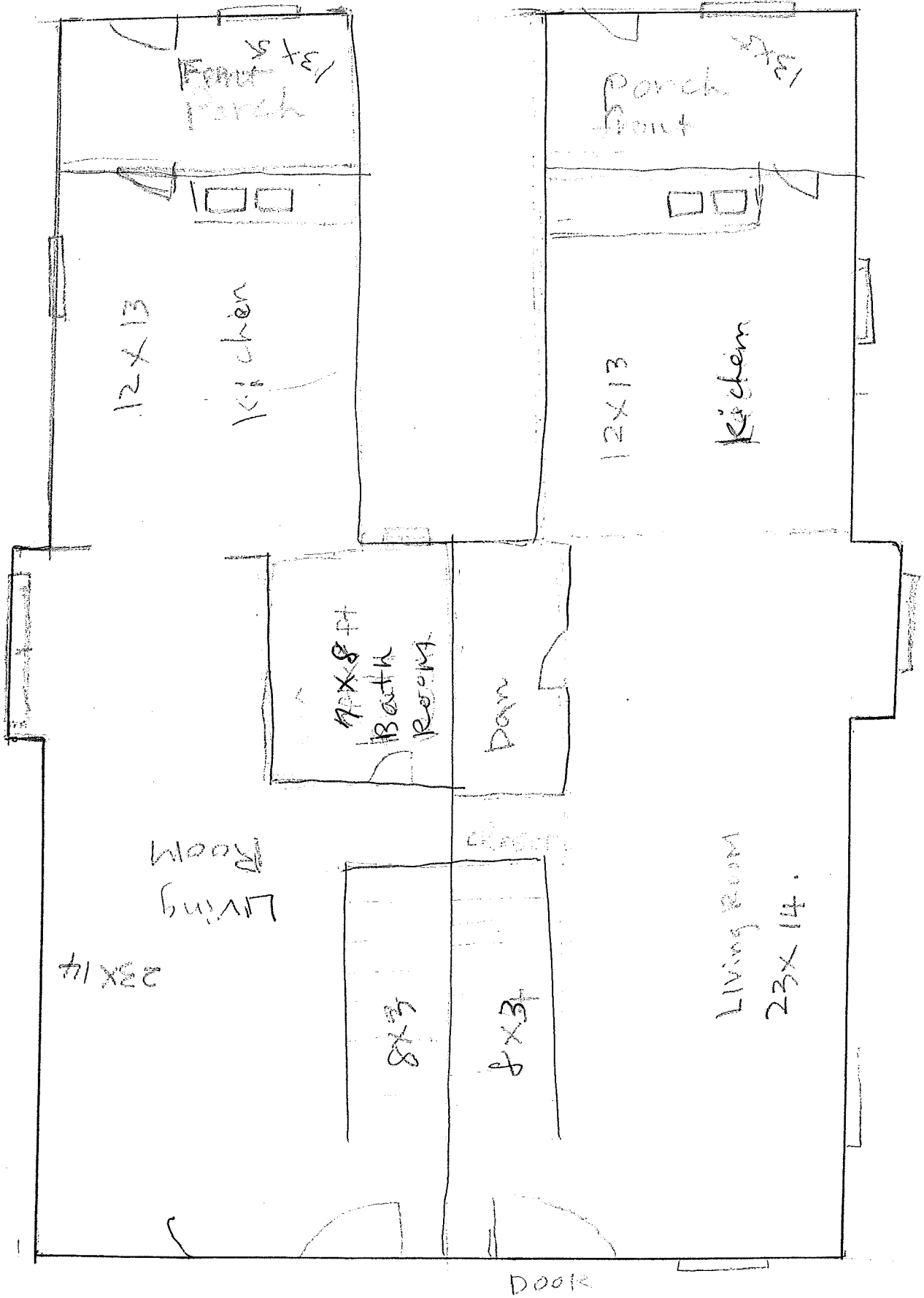
4. Comp plan – staff**5. petition - met**

1st floor

126 Ft

1st floor

63 Ft

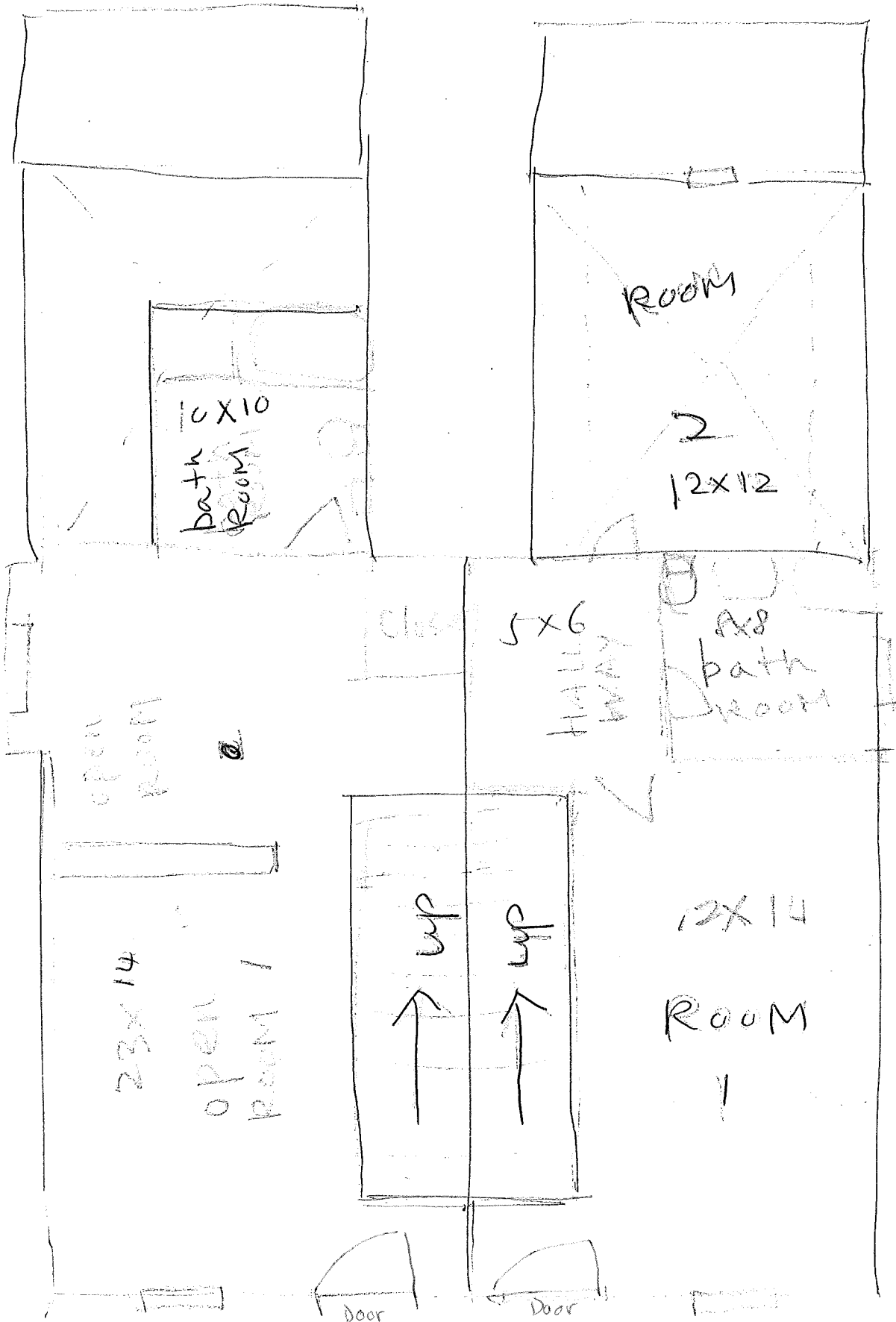


Back

Door

Back

2nd floor

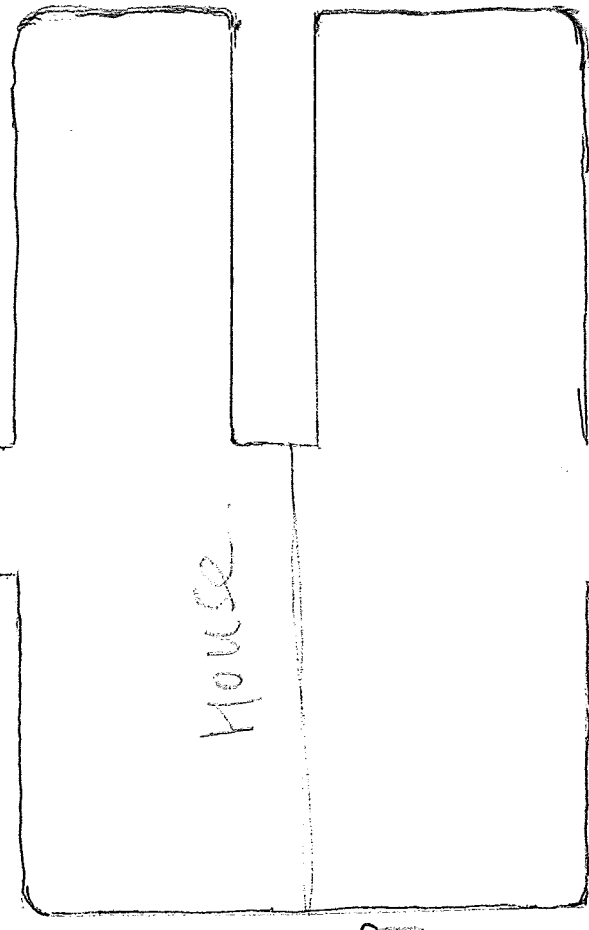
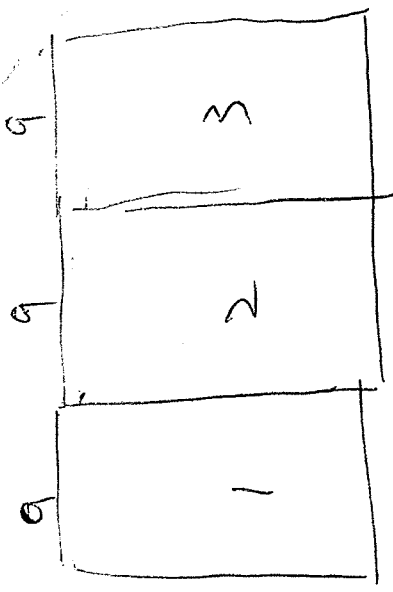


2 Floor front

Parking for 3 cars

1202 Pacific St
1204 St Paul

44-51



44-51



Drive way

1204-1

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

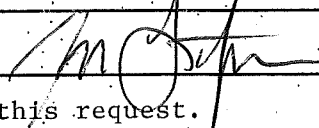
A copy of the application of JINSIL Hwang
(name of applicant)

to establish a Duplex (2 unit building)
(proposed use)

located at 1204 Pacific St Paul MN 55106
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1210 Pacific St	Executive Director		1/5/2010
The PHA neither approves nor opposes this request.			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

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We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of JINSIL Hwang
(name of applicant)

to establish a Duplex (2 unit building)
(proposed use)

located at 1204 Pacific St Paul MN 55106
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1210 Pacific St	Comptroller		
1190 Pacific St	TIM HARRINGTON		
1189 McLean Ave	BLAYN REIMNITZ ROSEANNE CARBONE	<i>Blayne Reimnitz</i>	1/5/09
1193 McLean Ave	ERIC A SCHMITT CYNTHIA SCHMITT	<i>Eric Schmitt</i>	1/5/09
1197 McLean Ave	JAMES ROBINSON AUDREY ROBINSON	<i>Audrey Robinson</i>	1/5/09
1201 McLean Ave	Michael Pauley	<i>Cynthia Schmitt</i>	1/5/09
1205 McLean Ave	David Cashman	<i>David Cashman</i>	1-5-09
1204 Pacific St	JINSIL Hwang	<i>Jinsil Hwang</i>	1/5/09
119			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, Jinsil Hwang, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

NAME

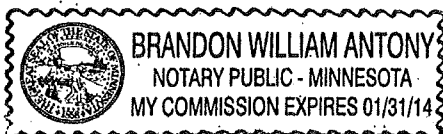
ADDRESS

TELEPHONE NUMBER

Subscribed and sworn to before me this

6th day of January, 2010.

NOTARY PUBLIC



CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of JINSIL Hwang,
(name of applicant)

to establish a Duplex,
(proposed use)

located at 1204 Pacific St St Paul MN 55106,
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1201 McLean Ave	Michael Parly	Michael Parly	1-11-10
			JAN 12 2010

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

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NAME

1204 Pacific St. St. Paul, MN 55106
ADDRESS

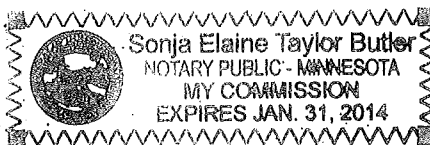
952 564 5767
TELEPHONE NUMBER

Subscribed and sworn to before me this

12th day of January, 2010.

JAN 12 2010

[Signature]
NOTARY PUBLIC



ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 1-7-10

DATE PETITION RESUBMITTED: 1-12-10

DATE OFFICIALLY RECEIVED: _____

DATE OFFICIALLY RECEIVED: 1-12-10

PARCELS ELIGIBLE: 10

PARCELS ELIGIBLE: 10

PARCELS REQUIRED: 7

PARCELS REQUIRED: 7

PARCELS SIGNED: 6

PARCELS SIGNED: 7

CHECKED BY: Paul Dubravel

DATE: 1-12-10



1202-1204 Pacific Street



Rear yard and parking area



View east on Pacific Street



View west on Pacific Street

SEE SHEET
22 FOR NO.
OF PARKING

102

RM2

R4

RT1

RM2

RM2

OS

PACIFIC



Griffith ST.

MC LEAN

R4

APPLICANT

Jin Si Hwang

PURPOSE

REEST NCUP

FILE #

4

DATE

1-12-10

PLNG. DIST.

MAP #

23

SCALE 1" = 400'



LEGEND

zoning district boundary

subject property

one family

two family

multiple family



commercial

industrial

vacant

The map displays the City of Saint Paul, Minnesota, divided into 17 numbered planning districts. The districts are outlined in thick black lines. The map includes major streets, parks, and a compass rose in the bottom left corner. The districts are:

- 1. SUNRAY-BATTLECREEK-HIGHWOOD
- 2. GREATER EAST SIDE
- 3. WEST SIDE
- 4. DAYTON'S BLUFF
- 5. PAYNE-PHALEN
- 6. NORTH END
- 7. THOMAS DALE
- 8. SUMMIT-UNIVERSITY
- 9. WEST SEVENTH
- 10. COMO
- 11. HAMLINE-MIDWAY
- 12. ST. ANTHONY PARK
- 13. MERRIAM PARK-SNELL-LEX-HAM
- 14. MACALESTER-GROVELAND
- 15. HIGHLAND
- 16. SUMMIT HILL
- 17. DOWNTOWN

The map also shows major streets such as ARCADE, EIGHTH, SEVENTH, SIXTH, FIFTH, FOURTH, THIRD, SECOND, FIRST, and various others. Parks like NERGER PARK and PIERCE PARK are also indicated. A compass rose is located in the bottom left corner.

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-005510

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Kringle Nelson Holdings **FILE #** 09-425-394
 2. **APPLICANT:** Kringle Nelson Holdings **HEARING DATE:** January 28, 2010
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Change
 4. **LOCATION:** 1041 Osceola Ave,
 5. **PIN & LEGAL DESCRIPTION:** 022823330126, BRYANT'S PARK ADDITION NO. 4, SAINT PAUL, MINN. EX N 20 FT LOT 1 BLK 1
 6. **PLANNING DISTRICT:** 16 **PRESENT ZONING:** R4
 7. **ZONING CODE REFERENCE:** §62.109(c)
 8. **STAFF REPORT DATE:** January 11, 2010 **BY:** Sarah Zorn
 9. **DATE RECEIVED:** December 8, 2009 **60-DAY DEADLINE FOR ACTION:** February 6, 2010
-

- A. **PURPOSE:** Change of nonconforming use from mixed residential/commercial (1 commercial unit and 4 residential units) to 5 residential units
- B. **PARCEL SIZE:** 50 ft. (Osceola) x 150 ft. (Oxford) = 7,500 sq. ft.
- C. **EXISTING LAND USE:** Multifamily residence
- D. **SURROUNDING LAND USE:**
 - North: Single family residential (R4)
 - East: Linwood Monroe Arts Plus School (R4)
 - South: Single family residential (R4)
 - West: Tennis club (R4)
- E. **ZONING CODE CITATION:** §62.109(c) authorizes the planning commission to allow a nonconforming use to change to a use permitted in the district in which the nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the nonconforming use is first allowed upon making certain findings (see Section H below).
- F. **HISTORY/DISCUSSION:** A change of nonconforming use was approved in 2000 (ZF#00-137-383) to change from two commercial spaces and three residential dwelling units to one commercial space and four residential dwelling units.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 16 Council recommends approval of the change to 5 residential units.
- H. **FINDINGS:**
 1. Prior to 1999 the building included two first floor commercial spaces, which were occupied by a beauty shop and a massage center. In 1999 the beauty shop moved from the commercial space on the east side of the building (1041) to the space on the west side of the building (1043). The former beauty shop space (1041) was then converted into a residential unit, for a total of four units in the building. City records indicate that there was a certificate of occupancy for four units in 2006.

At some point in the past the basement unit was divided into two units. Floor plans submitted along with the application show a second basement unit. The applicant will need to work with the Department of Safety and Inspections to ensure that the basement is converted back to only one unit.
 2. The owner purchased the property in 2007. At that time there was one commercial space and three residential dwelling units on the first floor, and two residential dwelling units in the basement. In 2008 the commercial space was illegally converted to a residential unit, increasing the number of residential units to six. The applicant was instructed to retroactively obtain the necessary building permits and legalize the existing residential units.
 3. Section 62.109(c) states: *The planning commission may allow a nonconforming use to change to a use permitted in the district in which the nonconforming use is first allowed, or a use*

permitted in a district that is more restrictive than the district in which the nonconforming use is first allowed, if the commission makes the following findings:

- a. The proposed use is equally appropriate or more appropriate to the neighborhood than the existing nonconforming use. This finding is met. The proposed use of five residential units is more appropriate in an R4 district than the previous mixed commercial/residential use.*
- b. The traffic generated by the proposed use is similar to that generated by the existing nonconforming use. This finding is met. Traffic generated by the proposed residential use is less than that generated by the previous commercial use.*
- c. The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare. This finding is met. The proposed nonconforming use will generate less pedestrian and vehicular traffic than the previous nonconforming use. In addition, the parking requirement for five residential units is seven spaces, whereas the previous parking requirement for four units and the beauty shop was fourteen spaces. There is room for three vehicles to park on the pad to the rear of the property. It appears that the garage off the alley was acquired by the property owners across the alley to the north in 1998.*
- d. The use is consistent with the comprehensive plan. This finding is met. The District 16 plan states the goals of retaining "the mix of housing types (single-family, duplex, townhouses, and apartments) in the Summit Hill neighborhood in existing and new housing developments" and maintaining "rental housing options to continue some measure of affordability in the neighborhood" (p. 4).*

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the change of nonconforming use from mixed residential/commercial (1 commercial unit and 4 residential units) to 5 residential units subject to the condition that the applicant shall obtain a certificate of occupancy for five dwelling units.



NONCONFORMING USE PERMIT APPLICATION

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only

File # 09-425394

Fee \$650.00

Tentative Hearing Date 12-29-09

PD = 16

022823336126

APPLICANT

Name KEINGLE NELSON HOLDINGS LLC
 Address 6150 FOXTAIL DRIVE
 City WHITE BEAR LAKE St. MN Zip 55110 Daytime Phone 612 385 4187
 Name of Owner (if different) SCOTT KEINGLE
 Contact Person (if different) GREG NELSON Phone 651 283 4972

PROPERTY LOCATION

Address / Location 1043 OSCOLA AVE ST PAUL MN 55105
 Legal Description EX N20 FT LOT 1 BLK 1
 Current Zoning R4
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 102, Subsection I, Paragraph _____ of the Zoning Code.

- The permit is for: ☒ Change from one nonconforming use to another (para. 3 in Zoning Code)
☐ Re-establishment of a nonconforming use vacant for more than one year (para. 5)
☐ Legal establishment of a nonconforming use in existence at least 10 year (para. 1)
☐ Enlargement of a nonconforming use (para. 4)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

CHANGE IN USE: Present / Past Use MIXED (RESIDENTIAL / COMMERCIAL)

OR
 RE-ESTABLISHMENT: Proposed Use RESIDENTIAL - 5 UNITS

Additional Information for all applications (attach additional sheets if necessary):

BUILDING CURRENTLY HAS 5 UNITS & 1 COMMERCIAL AND 4 RESIDENTIAL. PROPOSE TO CONVERT COMMERCIAL SPACE TO RESIDENTIAL.

Attachments as required: ☒ Site Plan

☐ Consent Petition

☐ Affidavit

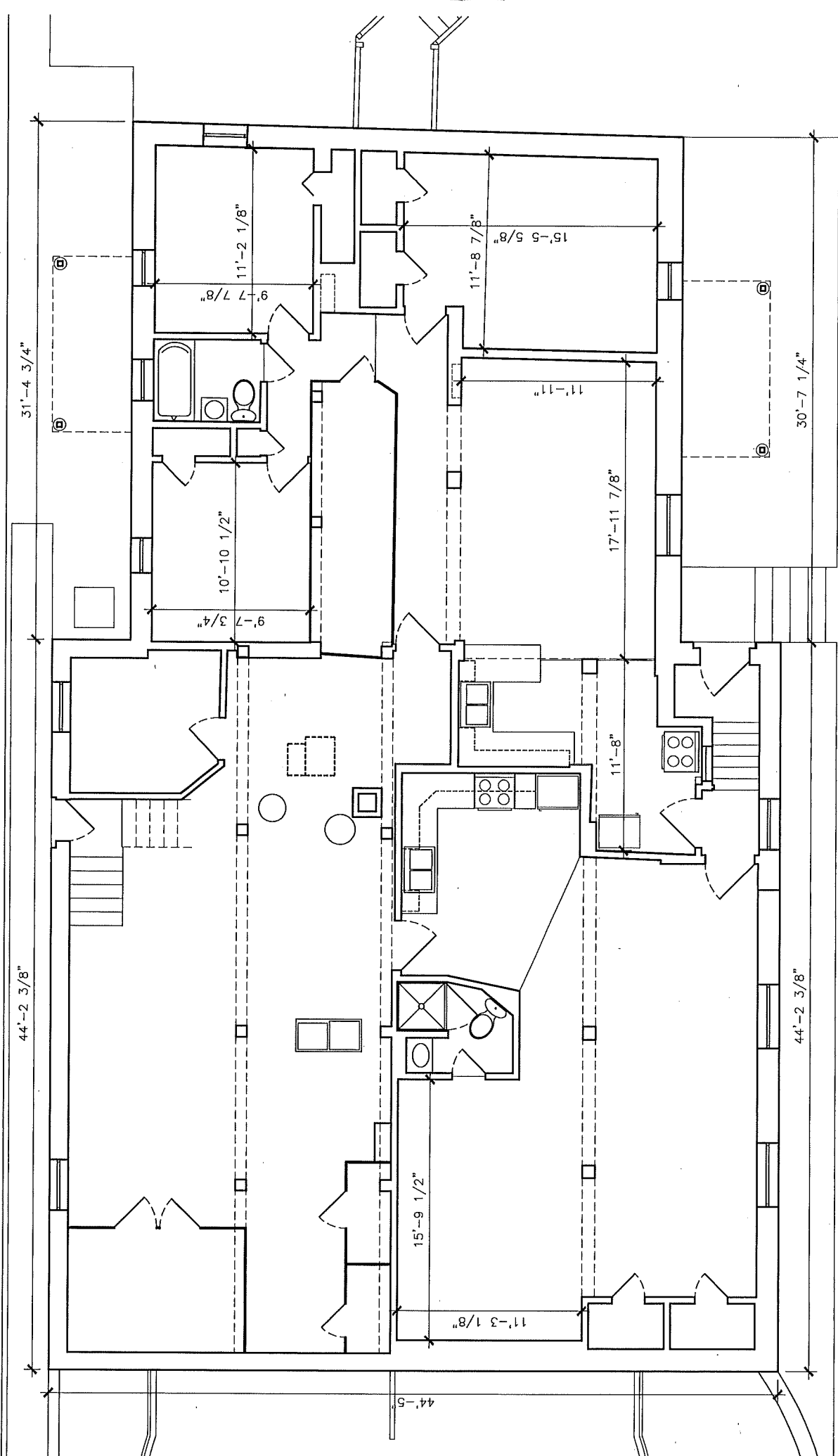
Applicant's Signature [Signature]

Date 12/8/2009

City Agent [Signature]

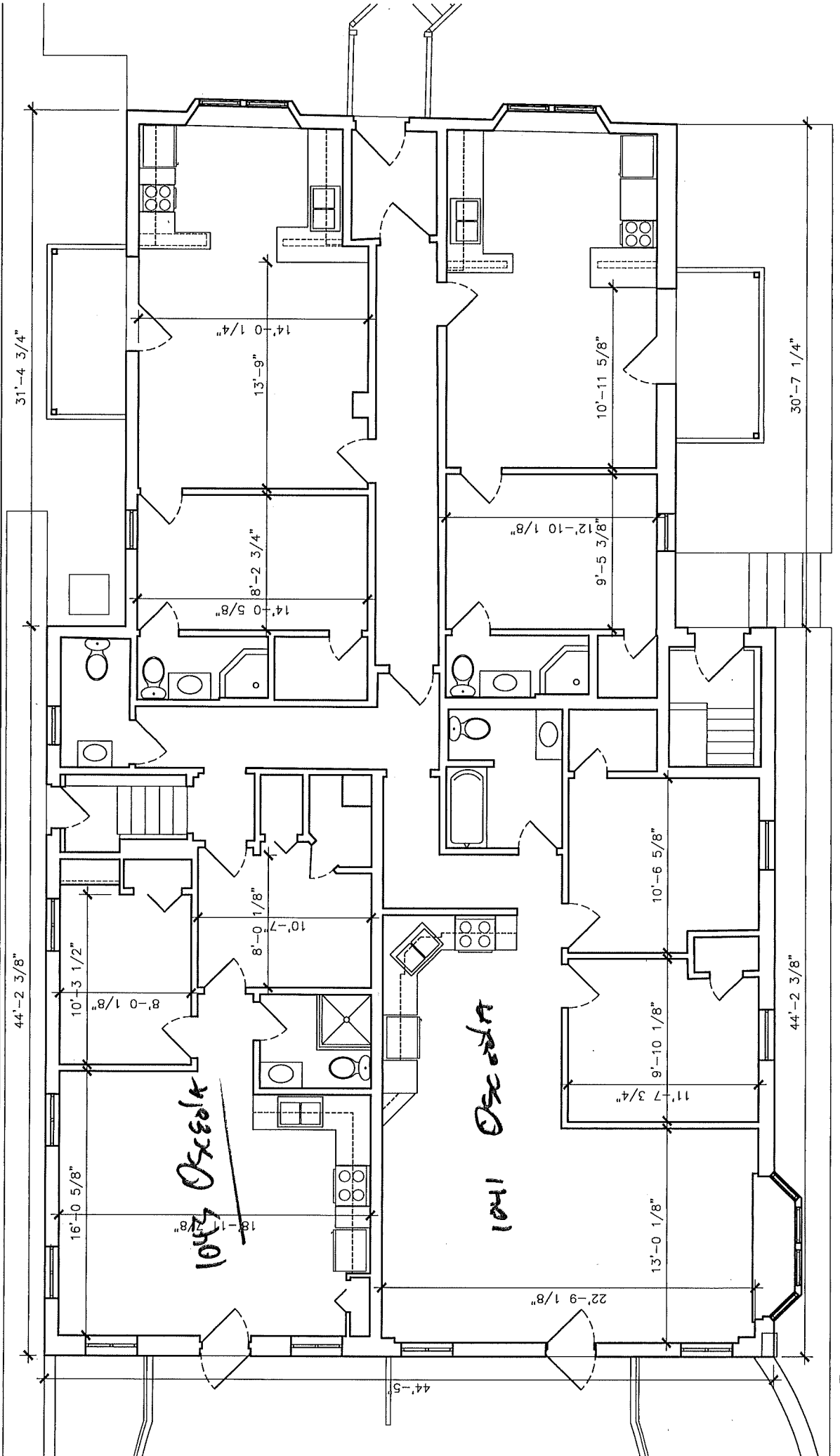
pd #650 12-8-09

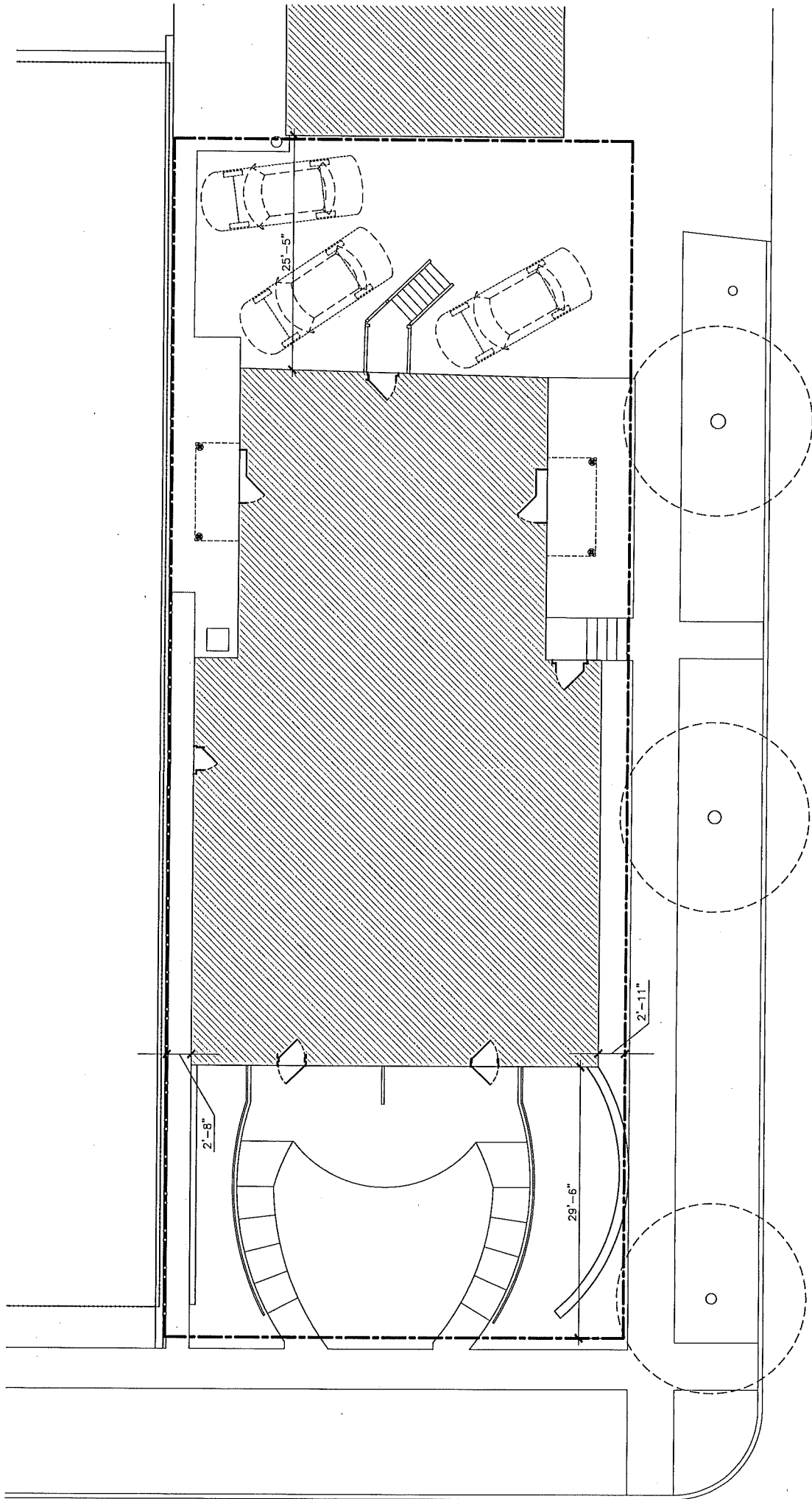
check 307A



2 LOWER LEVEL PLAN

of 3 3/16" = 1'-0"





Summit Hill Association

District 16 Planning Council
860 Saint Clair Avenue
Saint Paul, Minnesota 55105
Telephone 651-222-1222
Fax 651-222-1558
www.summithillassociation.org
e-mail: summithill@visl.com

January 20, 2010

Sarah Zorn - Planning Aide
St. Paul Planning Commission – Zoning Committee
1400 City Hall Annex
25 W. 4th St.
St. Paul, MN 55102

**RE: Zoning File # 09-425-394
1041-43 Osceola Avenue**

Dear Members of the Planning Commission - Zoning Committee:

The Summit Hill Association/District 16 Board of Directors held a neighborhood public hearing at its regular monthly meeting on January 14, 2010 to discuss and consider the zoning application submitted to the City of St. Paul by Kringle Nelson Holdings regarding the property at 1041-43 Osceola Avenue. This application requests a change of nonconforming use from mixed residential/commercial (1 commercial unit and 4 residential units) to 5 residential units.

The Summit Hill Association solicited input from surrounding residents within 350 feet; and received neither written nor verbal comments in opposition to the application. We did receive one supporting statement at the hearing from a nearby resident/property owner who told the board that he was impressed with how well the current owners have taken care of and improved the property.

The SHA Board discussed the application with the Kringle Nelson Holdings applicants, Greg & Jane Nelson and Scott Kringle at the January 14th hearing based on the information forwarded to SHA by City zoning staff. The discussion also took into consideration the Planning Commission Staff Report and recommendation from Sarah Zorn recommending approval of the application; as well as the relevant sections of the District 16 - Summit Hill Neighborhood Plan.

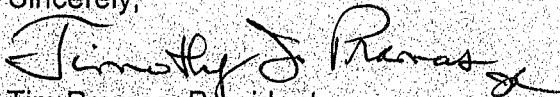
The Committee understood that the property was purchased in 2007 by the current owners; and that the last commercial tenant decided to close her beauty parlor business some time ago. As the mixed-use building is in a residential neighborhood, Kringle Nelson Holdings thought it more appropriate to have all units residential. Additionally, the parking requirement for the property, and the parking pressure on the surrounding neighborhood, would actually be reduced if the commercial unit is made residential. The only other issue was the existence of two units in the basement where there should only be one. Mr. Nelson spoke to this indicating that the basement would likely be changed

to a single unit with about 1300-1400 square foot GFA that would likely have two bathrooms. Additionally, the application conforms to the spirit and language of the Summit Hill Association Neighborhood Plan (Housing Policies H5 & H6) and thereby the City Comprehensive Plan.

Given this, the SHA Board of Directors voted unanimously (18 – 0) on a motion to recommend approval of a change in nonconforming use from a mixed-use to a purely residential nonconforming use of no more than five (5) residential units.

If you have any questions about the discussion or recommendation, you may contact me or Jeff Roy, SHA Executive Director, at (651) 222-1222.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Pramas", with a stylized flourish at the end.

Tim Pramas, President

Summit Hill Association/District 16 Planning Council

cc: Greg Nelson, Kringle Nelson Holdings
Dave Thune, Ward 2 Councilmember

Request for Continuance

Date 12/15/2009

Gladys Morton, Chair
Zoning Committee
City of Saint Paul
1400 City Hall Annex
Saint Paul, Minnesota 55102

1041 Oscoda
Ave.

Re: Zoning File # 09-425-394

Dear Ms. Morton:

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on 12/29/2009.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for 1/8/2010, will also be continued.

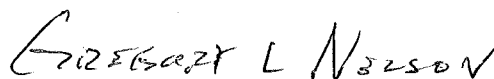
I request that the Zoning Committee continue the public hearing for this zoning file to 1/28/2010, I understand that the Planning Commission would then be scheduled to make their decision on 2/5/2010.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 28 days to 2/5/2010, to accommodate the continuance I am requesting.

Sincerely,



Signature of Applicant or
Applicant's duly appointed
representative.



Printed name of Applicant or
Applicant's duly appointed
representative.



1041-1043 Osceola Avenue



View of property from Oxford Street

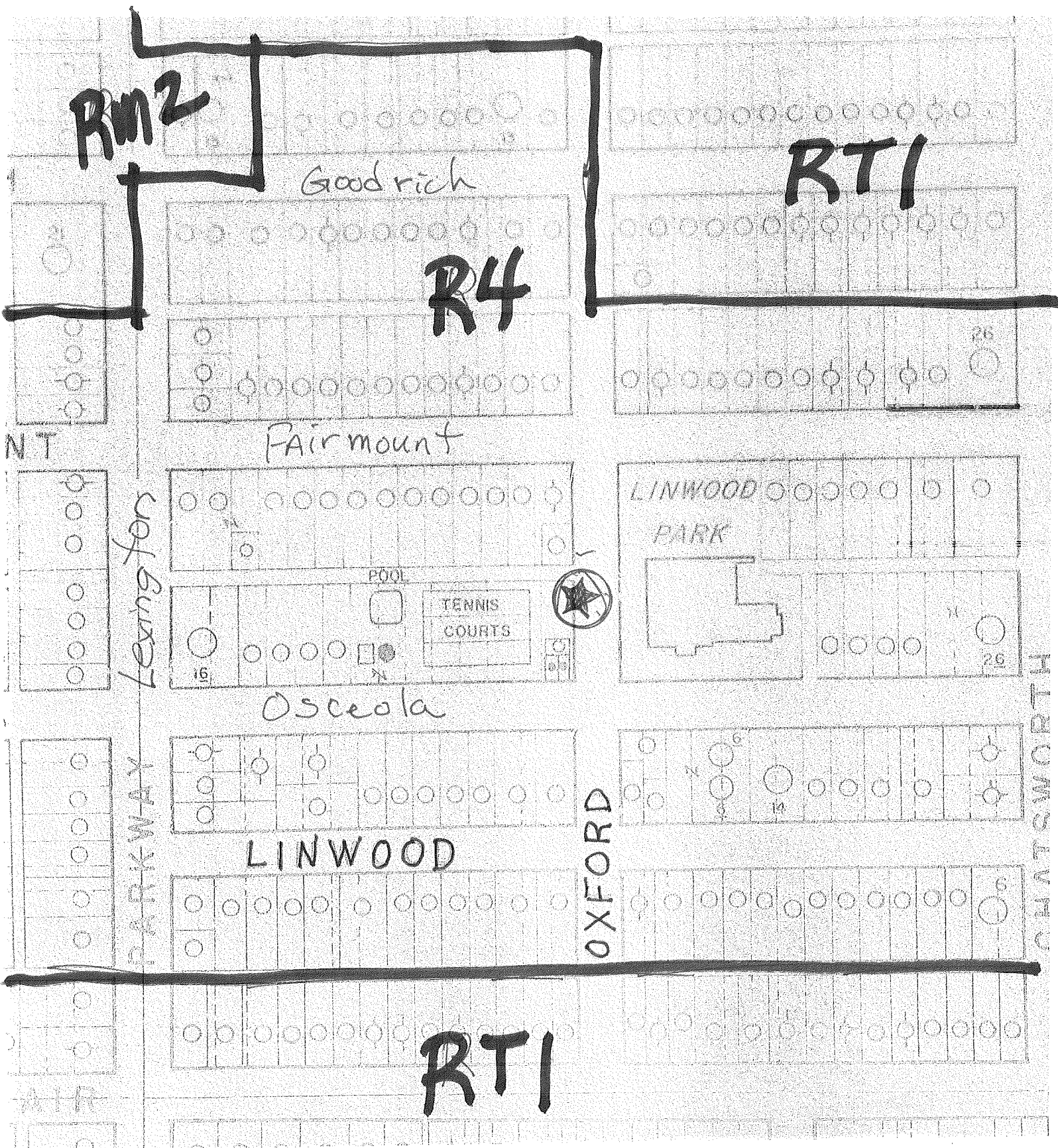


Rear yard and parking area



Nearby property





APPLICANT Kringle Nelson Holdings

PURPOSE CHG of Nonconforming Use

FILE # 09-425394 DATE _____

PLNG. DIST 16 MAP # 27

SCALE 1" = 400'

LEGEND

zoning district boundary

subject property

one family

two family

multiple family

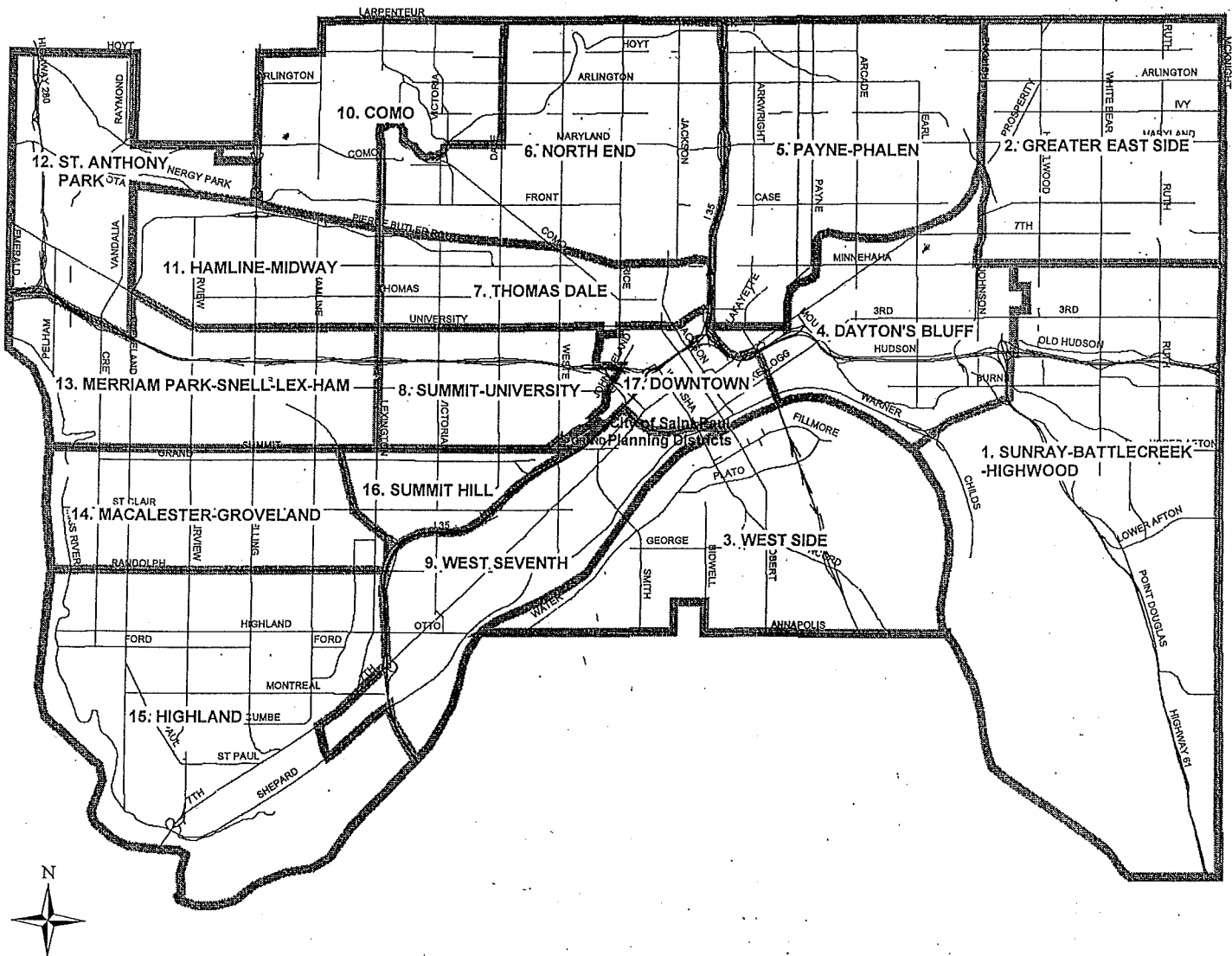
commercial

industrial

vacant



CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

09-425394

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Charles Brost **FILE #** 10-004-695
 2. **APPLICANT:** Charles Brost -- DBA JJSC LLC **HEARING DATE:** January 28, 2010
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Change
 4. **LOCATION:** 1200 7th St W, NE corner at Tuscarora
 5. **PIN & LEGAL DESCRIPTION:** 112823420200, REARRANGEMENT OF BLOCK 12 CLARKES ADDITION TO ST. PAUL SUBJ TO ST LOTS 9 10 AND LOT 11 BLK 12
 6. **PLANNING DISTRICT:** 9 **PRESENT ZONING:** B2
 7. **ZONING CODE REFERENCE:** §62.109(c)
 8. **STAFF REPORT DATE:** January 20, 2010 **BY:** Emily Goodman
 9. **DATE RECEIVED:** January 6, 2010 **60-DAY DEADLINE FOR ACTION:** March 9, 2010
-

- A. **PURPOSE:** Change of nonconforming use to add outdoor auto sales to existing non-conforming auto repair use.
- B. **PARCEL SIZE:** An irregularly-shaped 8613 sq. ft. parcel with approximately 138 feet of frontage on West 7th Street.
- C. **EXISTING LAND USE:** A-Auto Repair Station
- D. **SURROUNDING LAND USE:**
 - North: Commercial (B2)
 - East: Low density residential (RT2)
 - South: Low and medium density residential (RT2 and RM2)
 - West: Commercial (B2)
- E. **ZONING CODE CITATION:** §62.109(c) authorizes the planning commission to allow a nonconforming use to change to a use permitted in the district in which the nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the nonconforming use is first allowed upon making certain findings (see Section H below).
- F. **HISTORY/DISCUSSION:** In 1920 a filling station was constructed on this site. In 1950 a permit to allow an accessory trailer rental business was granted, and in 1953 a permit to reconstruct the filling station was approved. In 1989 the owner petitioned to rezone the lot from B2 to B3 in order to operate an auto sales lot on the site. The City denied the rezoning application. The lot operated as a legal non-conforming auto repair facility until 2007, when the certificate of occupancy was revoked because the building was vacant. In 2008, the Planning Commission approved the re-establishment of non-conforming use as an auto repair facility and attached eight conditions. The current applicant acquired the property in March of 2009 and re-established the auto repair use at that time.
- G. **DISTRICT COUNCIL RECOMMENDATION:** Staff did not receive a formal recommendation from the District 9 Council at the time this staff report was drafted.
- H. **FINDINGS:**
 1. The property is zoned B2 Community Business. The applicant, Charles Brost, proposes to augment his existing nonconforming auto repair permit by adding used car sales on the site. The applicant proposes to have several vehicles for sale on the lot and to conduct cleaning and small repairs in the on-site service bays. The applicant has states that he intends to have one employee.
 2. Section 62.109(c) states: *The planning commission may allow a nonconforming use to change to a use permitted in the district in which the nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the nonconforming use is first allowed, if the commission makes the following findings:*
 - a. *The proposed use is equally appropriate or more appropriate to the neighborhood than the existing nonconforming use.* This finding is met. The proposed use and existing nonconforming use are comparable in many respects. Both the auto repair and the outdoor auto sales are both auto-oriented uses first permitted as conditional uses in the B3 General

Business District. The differences between the uses will be minimal because the number of automobiles for sale on site will be limited. The lot area is only 8613 square feet, and the applicant has submitted a site plan showing ten (10) parking spaces on site. The code requires 2 spaces per auto service stall, 1 space for 400 square feet of office area for auto sales, and 1 space per 2,000 square feet of outdoor sales. Based on the site plan submitted and these requirements, four (4) spaces should be set aside for parking. The applicant's proposed use would also continue to meet the standards attached to the existing nonconforming use, including conducting repairs within an enclosed building and providing a landscaping buffer. In some respects, the proposed use of outdoor auto sales may be more appropriate to the neighborhood than the existing non-conforming use. The applicant may exercise more discretion on which cars remain on the lot for extended periods of time in auto sales (the applicant has indicated that such cars will be kept attractive and clean). Additionally, significant repairs will be redirected to other locations, so noise from on-site repairs will be correspondingly reduced. As long as the number of cars for sale on site is limited, the proposed use is equally or more appropriate to the neighborhood than the existing use.

- b. *The traffic generated by the proposed use is similar to that generated by the existing nonconforming use.* This finding is met. The applicant has indicated that the traffic generated by the sale of used cars will be about the same or less than a stand-alone repair facility. The applicant will only sell a limited number of cars on site and conduct only minor repairs in the enclosed service bays, while customers seeking significant repairs will be redirected to the applicant's other garages at 1345 Grand Avenue and 1745 Grand Avenue. Minimizing the auto repair on-site will help to minimize the traffic impact on the surrounding neighborhood.
- c. *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The applicant has sought out an architect who is familiar with the neighborhood plan to ensure that the proposed site plan for the auto sales facility will be in accord with the existing character of development in the immediate neighborhood and will otherwise not endanger the public health, safety, or general welfare.
- d. *The use is consistent with the comprehensive plan.* This finding is met. The current adopted Summary and General Policy of the Comprehensive Plan indicates that a high priority for Saint Paul is *to ensure a welcoming and supportive environment in the city for new and existing businesses*. Approval of this change in non-conforming use would support the expansion of an existing business. Additionally, the District 9 Plan Summary includes as a Land Use Strategy that "existing land uses should remain essentially the same..." and the proposed non-conforming use is essentially the same type of land use as the previous one. A subsequent Land Use Strategy states that "Commercial should be encouraged along West Seventh..." the proposed outdoor auto sales would be in accord with this strategy.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Change of nonconforming use to add outdoor auto sales to existing nonconforming auto repair business with the following additional conditions in addition to the eight conditions already in place for the auto repair use:
 - 1. The number of cars for sale on site shall be no more than six (6); there shall be four (4) spaces set aside for parking.
 - 2. The auto repair on-site shall be limited to minor repairs needed for a clean appearance and display purposes.



NONCONFORMING USE PERMIT APPLICATION

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only

File # 10-004695

Fee: 650.00

Tentative Hearing Date: 1-28-10

112823420200

APPLICANT

Name CHARLES BROST - DBA JJSC LLC
Address 1948 CROWN PT. DR
City MENDOTA St. MN Zip 55118 Daytime Phone (651) 699-8830
Name of Owner (if different) _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 1200 W. 7TH
Legal Description _____
Current Zoning B-2
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section ~~102~~ ¹⁰⁹, Subsection I, Paragraph C of the Zoning Code.

- The permit is for: ☒ Change from one nonconforming use to another (para. 3 in Zoning Code)
- ☐ Re-establishment of a nonconforming use vacant for more than one year (para. 5)
- ☐ Legal establishment of a nonconforming use in existence at least 10 year (para. 1)
- ☐ Enlargement of a nonconforming use (para. 4)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

CHANGE IN USE: Present / Past Use Auto Repair

OR
RE-ESTABLISHMENT: Proposed Use USED CAR SALES

Additional information for all applications (attach additional sheets if necessary):

CK13821
650⁰⁰

Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

Applicant's Signature [Signature] Date 1/10/10 City Agent pd 1-8-10

January 7th, 2010

To The City of Saint Paul Planning Commission:

I would like to request a change of my nonconforming use permit of a vehicle repair facility for my property located at 1200 W. 7th St. St. Paul to include the sale of used vehicles. I currently own and operate two other repair facilities in the City of Saint Paul located at 1345 Grand Ave and 1745 Grand Ave. These two facilities have been in operation and under my management for approximately 21 years. I believe my history as a reputable business owner and a good neighbor in Saint Paul will speak for itself in regards to concerns of my new neighbors on W 7th St. and to the Saint Paul Planning Commission. I have taken many steps to insure that this proposal is without surprise and have welcomed the input of the neighborhood and community. I have met with the West 7th St Federation several times, addressed their concerns, and although they normally would not be in support of a used car lot, I now have their support for the proposed use. I have gone door to door in the neighborhood introducing myself, informing them of this proposal and personally addressing any of their concerns. I have the overwhelming support of the neighborhood and many signatures showing their support of the proposal. I also have met with Mr. Dave Thune to get his thoughts and input on the proposal. He suggested that I use an architect for the landscaping that is familiar with existing character of development of the neighborhood and referred me to Glendering Architectural Services, whom I hired to design the site plan. Mr. Thune also would not normally be in support of a used car lot, but being that the West 7th St. Federation voted and approved of the proposed use, along with the list of signatures and my desire to work with the neighborhood and community development, he would not be opposed to the proposal.

The proposed use is similar to the existing use and past use of the last 48 years. It has been a gas station, service garage, used car lot, or a combination of, since 1962. The proposed car lot would have a more organized and neat appearance than just a repair facility with disabled vehicles waiting for repair or pick-up. The vehicles in this proposal will need to be attractive and clean for good impressions. I will also have control of the condition and appearance of the vehicles for sale as apposed to a customers vehicle waiting for repair. The service bays will be used primarily for cleaning, minor repairs and display. Any major work will be done at my two other full service repair facilities. This means less noise for the neighborhood and a neater, cleaner, appearance in the service bays. A well kept used car lot has a much better overall appearance than a stand alone repair facility.

Traffic generated by the sale of used cars is anticipated to be about the same or less than a stand alone repair facility. Repair estimates are a large portion of customer traffic. Service work will be referred to my two other repair garages on Grand Ave. meaning less traffic at 1200 W 7th. The smaller lot size of 10,000 sq. ft. as apposed to the 15,000 sq. ft. lot is actually an advantage of less traffic in this instance, making it more neighborhood friendly.

My concern of existing character of development has been exhibited by seeking input from Mr. Dave Thune and the hiring of an architect that is familiar with the neighborhood plan. My success in business has been characterized by honesty, integrity and a concern for the safety of people. I plan to be a good neighbor and a part of this neighborhood, not just in it.

Thank you for your help and support.

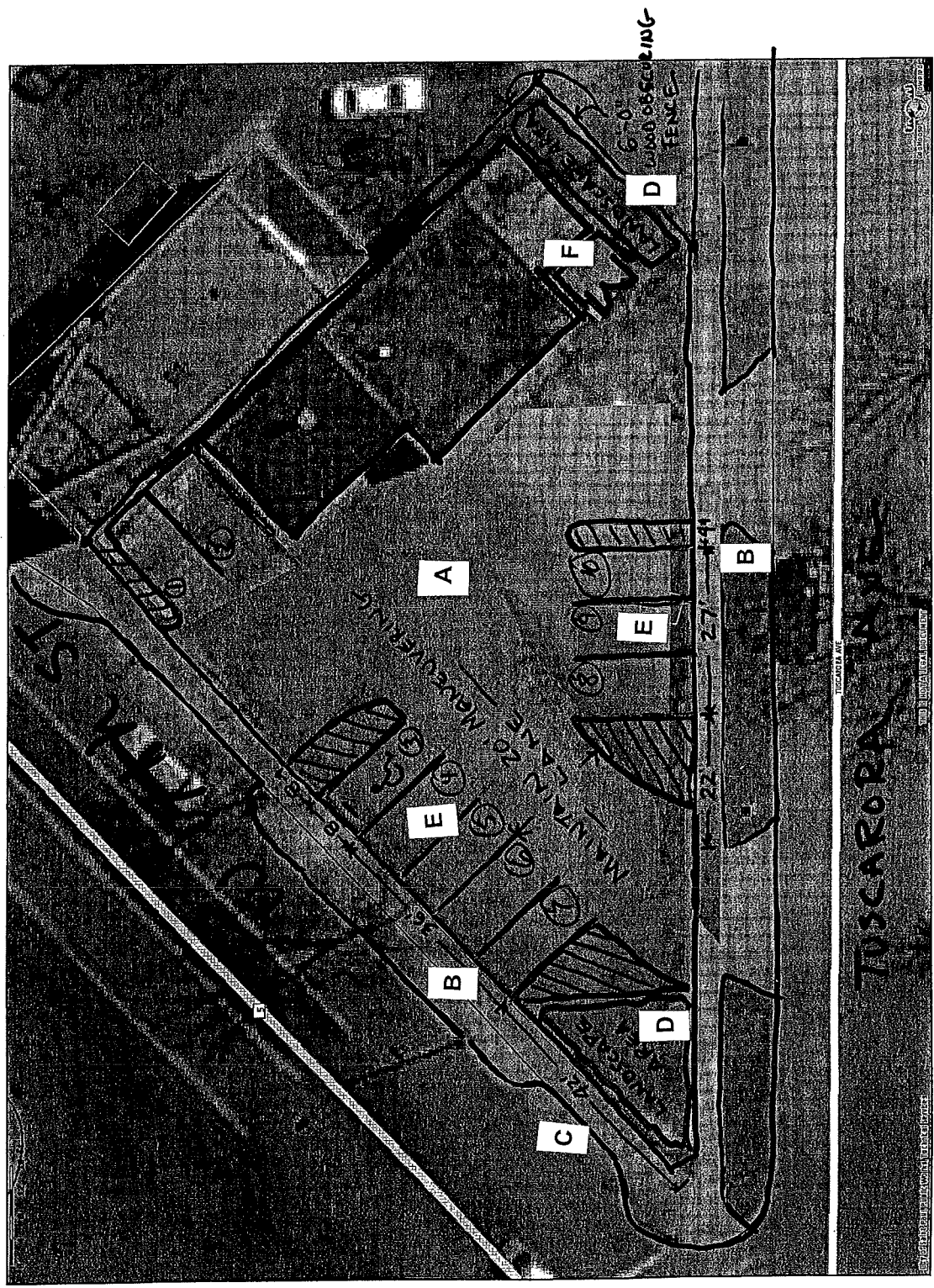
<http://sz0025.ev.mail.comcast.net/zimbra/mail>

1/7/2010

Sincerely,

Chuck Brost
Grand Wheeler Enterprises
651-402-1416

Grand Wheeler Enterprises 1200 W. 7 th Street Site Plan - 10/29/09 Scale: 1" = 20'	
A	Parking/maneuvering re-paved with asphalt. Paving Permit required from Dept. of Safety and Inspections.
B	Existing chain link fence removed and replaced with ornamental metal fence along perimeter of property on W. 7 th and Tuscarora. Fence Permit required from Dept. of Safety and Inspections.
C	The curb-cut removed and the boulevard, curb/gutter restored to City standards, under a permit from Public Works Sidewalk Section.
D	The licensee shall present a landscaping plan to the zoning administrator for approval, prior to installation.
E	Stripe parking lot according to approved site plan. Parking spaces 9'x18' typical. Maintain minimum maneuvering lane width of 20feet
F	Trash enclosure wood screened fencing to obscure the view from adjacent residences.





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

I agree to the following conditions being placed on the following license(s):

License #: 20090003879

Type of Business: Auto Repair Garage

Applied for by: Grand Wheeler Enterprises

Doing Business As: Grand Wheeler Enterprises

At: 1200 7th St W
St Paul MN 55102

Conditions are as follows:

1. All repair work shall be done within an enclosed building;
2. There shall be no outside storage;
3. 10 - foot landscaped buffer with screen planting and obscuring fence shall be provided along the property line adjoining property used or zoned for residential purposes;
4. The parking lot shall be paved, striped, and landscaped according to the standards and requirements in Chapter 63 of the Zoning Code, including the landscaping requirements in §63.314 and replacing the existing chain link fence with screening as required by § 63.314;
5. A site plan showing paving, striping and landscaping the parking lot according to the standards and requirements in Chapter 63; and showing a ten-foot landscaped buffer along adjoining residential property, shall be submitted for approval under the provisions of § 61.402 of the Zoning Code;
6. The hours of operation shall be limited to 8:00 a. m. - 6:00 p. m. Monday through Friday and 9:00 a.m. - 3:00 p.m. Saturday;
7. All vehicles associated with the business (including customer vehicles) shall be parked on the site, and shall not be parked in a public street (including public alleys)
8. The business owner/operator shall arrange for the storage of all vehicles unclaimed by their owners at an off-site, legal storage facility or otherwise removed from the premises in a legal manner.
9. By July 1, 2010, all site improvement, including re-paving the lot, fencing, landscaping, parking lot striping and driveway restoration work must be completed as shown on the approved site plan, dated 10/29/09. The licensee shall present a landscaping plan to the zoning administrator for approval, prior to installation. Contact Tom Beach at 651-266-9086 regarding your landscaping approvals. The licensee shall also obtain a permit from the Dept. of Safety and Inspections to pave the parking lot and install fencing.
10. The curb-cut, on W 7th nearest the intersection with Tuscarora, shall be removed and the boulevard and curb restored to City standards. All work on curbs, driveways, and sidewalks in the public right-of-way must be done by a licensed and bonded contractor under a permit from Public Works Sidewalk Section (651-266-6120). Sidewalk grades must be carried across the driveways. The Contractor must contact Public Works Street Maintenance for any street repair/reconstruction at (651-292-6600) with questions regarding procedures and costs.
11. All customer and employee vehicles must be parked in the area designated on a DSI approved site plan, dated 10/29/2009. A maximum of (10) ten vehicles are allowed to be parked on the property at any one time.
12. The storage of vehicles for the purpose of salvaging parts is expressly forbidden. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing. Vehicle salvage is not permitted.
13. Vehicle sales, auto body repair and auto body spray painting is not permitted by this license.
14. It shall be the responsibility of the licensee to ensure that any vehicle not claimed by its owner is removed from the lot as permitted by law.
15. Maintain maneuvering space on the property to allow vehicles entering and exiting the site to proceed forward. Backing from the street or on to the street is prohibited.
16. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations. The licensee shall obtain a "Hazardous Waste Generator" License from Ramsey County. Licensee must comply with all federal, state and local laws.
17. Refuse and discarded vehicle parts shall be stored in the dumpster, located in the trash enclosure area, as shown on the approved site plan. The trash enclosure shall be surrounded with wood screened fencing to obscure the view from adjacent residences

Licensee

Date

Print Name

An Equal Opportunity Employer

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A
NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of CHARLES F. Best
(name of applicant)

to establish a USED CAR LOT
(proposed use)

located at 1200 W. 7th St.
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
- 710 TUSCARORA	JEFF BARRY	Jeff Barry	4-27-09
- 774 TUSCARORA	Nick Andretta	Nick Andretta	5-5-09
- 751 TUSCARORA	Dolita Pat	Dolita Pat	5-7-09
- 774 TUSCARORA	Luigi Andretta Jr	Luigi Andretta Jr	5-11-09
- 765 TUSCARORA	Paul Gladis	Paul Gladis	5-11-09
- 772 TUSCARORA	PAUL MUNOZ	Paul P. Munoz	5-11-09
- 747 TUSCARORA	Janet Crittenden	Janet Crittenden	6-4-09
601 Bay St	Carol Myhre	Carol Myhre	6-4-09
755 TUSCARORA	STUE WILSON	Stue Wilson	6-4-09
605 Bay		Thel. Salceda	6-4-09
601 Bay St	Carol Myhre	Carol Myhre	6-4-09
752 TUSCARORA	DENNIS ALLEN	Dennis Allen	6-4-09

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A
NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of CHARLES F. BROST - GRAND WHEELER ENT.
(name of applicant)

to establish a USED CAR LOT
(proposed use)

located at 1200 W 7th
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
768 TUSCARORA	Mark A. Reinke	<i>Mark A. Reinke</i>	8-31-09
762 TUSCARORA			
761 TUSCARORA	GENE T. SZONDY	<i>Gene T. Szondy</i>	8-31-09
778 TUSCARORA			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A ~~REZONING~~

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of CHARLES F. BROST
(name of petitioner)
to rezone the property located at 1200 W 7TH ST.
from a B-2 zoning district to a B-3 zoning district and
2. A copy of sections _____ through _____, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of

CHARLES F. BROST to a B-3 zoning district.
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
760 Tuscarora	Jeff Barry	[Signature]	4-27-9
774 Tuscarora	Nick Andretta	[Signature]	5-5-09
751 Tuscarora	DeVito, Pauline	[Signature]	5-11-09
774 Tuscarora	Luigi Andretta Jr	[Signature]	5-11-09
763 Tuscarora	Irwin Gladis	[Signature]	5-11-09
772 TUSCARORA	PAUL MORRIS	[Signature]	5-11-09
209 W. Seventh St.	Jay Behrends	[Signature]	6/4/09
1163 W 7th St	Richard Clow	[Signature]	6/4/09
1171 W 7th St	Peter Mason	[Signature]	6/4/09
1199 W 7th St	[Signature]	[Signature]	6/4-09
751 Tuscarora Ave		Kathleen Malone	6/4/09
751 Tuscarora Ave		Maggie Novak	6/4/09

NOTE: This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may withdraw his/her name therefrom by written request within that time.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A ~~REZONING~~

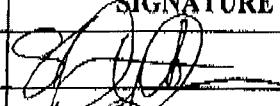
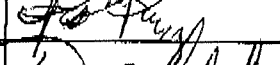
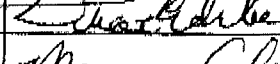
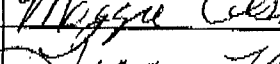
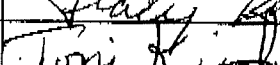
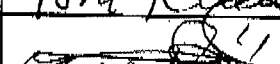
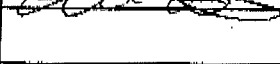
We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of CHARLES E. BROST
 (name of petitioner)
 to rezone the property located at 1200 W. 7th ST.
 from a B-2 zoning district to a B-3 zoning district and
2. A copy of sections _____ through _____, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a _____ zoning district, and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of

Chuck Brost - Used Car lot to a B-3 zoning district.
 (name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
1175 W 7th	SHAWN WALKER		6-5
1217 West 7th St	Patrick Page		6-6-2009
809 TUSCARORA	Quinn Lohr		6-6-09
822 Tuscorora Ave.	Mary Jo Brost Maggie Olson		6-6-09
790 Tuscarora	Tracy Kuehn		6-6-09
1222 W 7th St	Toni Kirchner		6-6-09
1211 W 7 St.	ELIAS Salvador		6/6/09

NOTE: This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may withdraw his/her name therefrom by written request within that time.

*Sharon Lewandowski
14930 70th St. So.
Hastings, MN 55033-9140*

City of St. Paul
Dept of Planning and Ec. Dev.
1400 City Hall
25 W 4th St.
St. Paul, MN 55102

RE file 10-004-695
1200 7th St. W

Dear Madam,

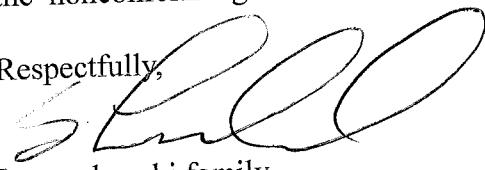
We received the notice regarding change to allow auto sales on the property next to our property, 1184-1186 W 7th St.

We, Nikolas, Antoni, and myself, Sharon, are opposed to having an auto sales at 1200 7th St. W. There is not sufficient parking for such an establishment. We opposed this intended use when they first petitioned for auto sales and we still oppose this intention-auto sales.

This neighborhood is struggling to establish thriving businesses, but an auto dealership with used cars is not a desirable neighbor. There is very little room on the lot, customers will undoubtedly park in front of our building as well as on the street in front of 1200 W 7th causing problems with traffic flow and increase the noise level.

The zoning does not allow for auto sales and the nonconforming use was denied once. I recommend the nonconforming use for auto sales be denied this time as well.

Respectfully,



Lewandowski family

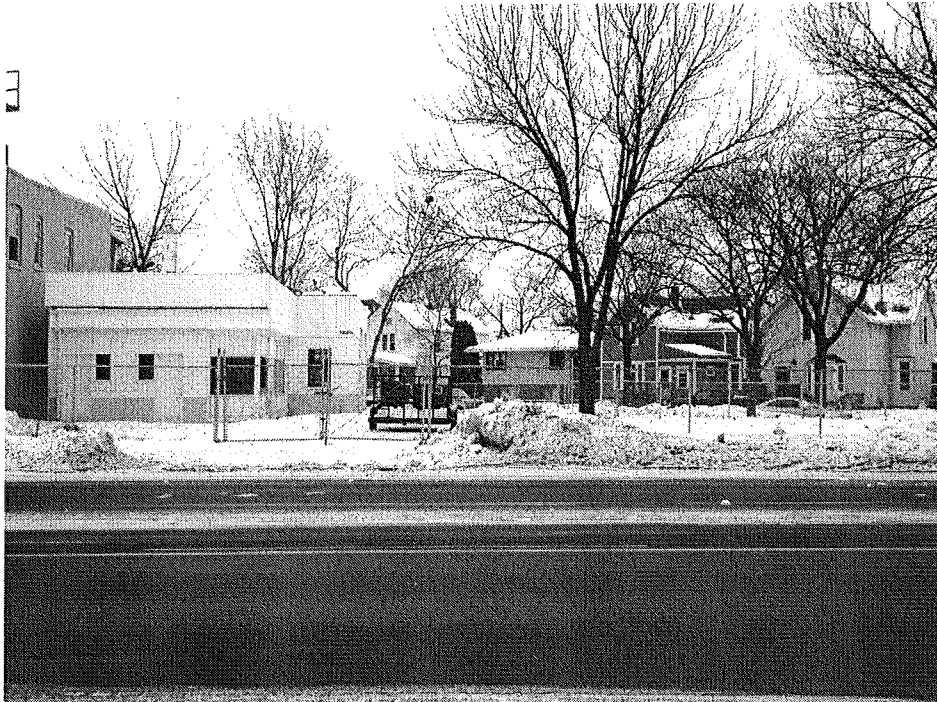
10-004695
NIKOLAS LEWANDOWSKI
14930 70TH ST S
HASTINGS MN 55033-9140

112823420199

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006





View of 1200 W 7th Street, facing south from W 7th Street.



View of 1200 W 7th Street, facing south east from W 7th Street.

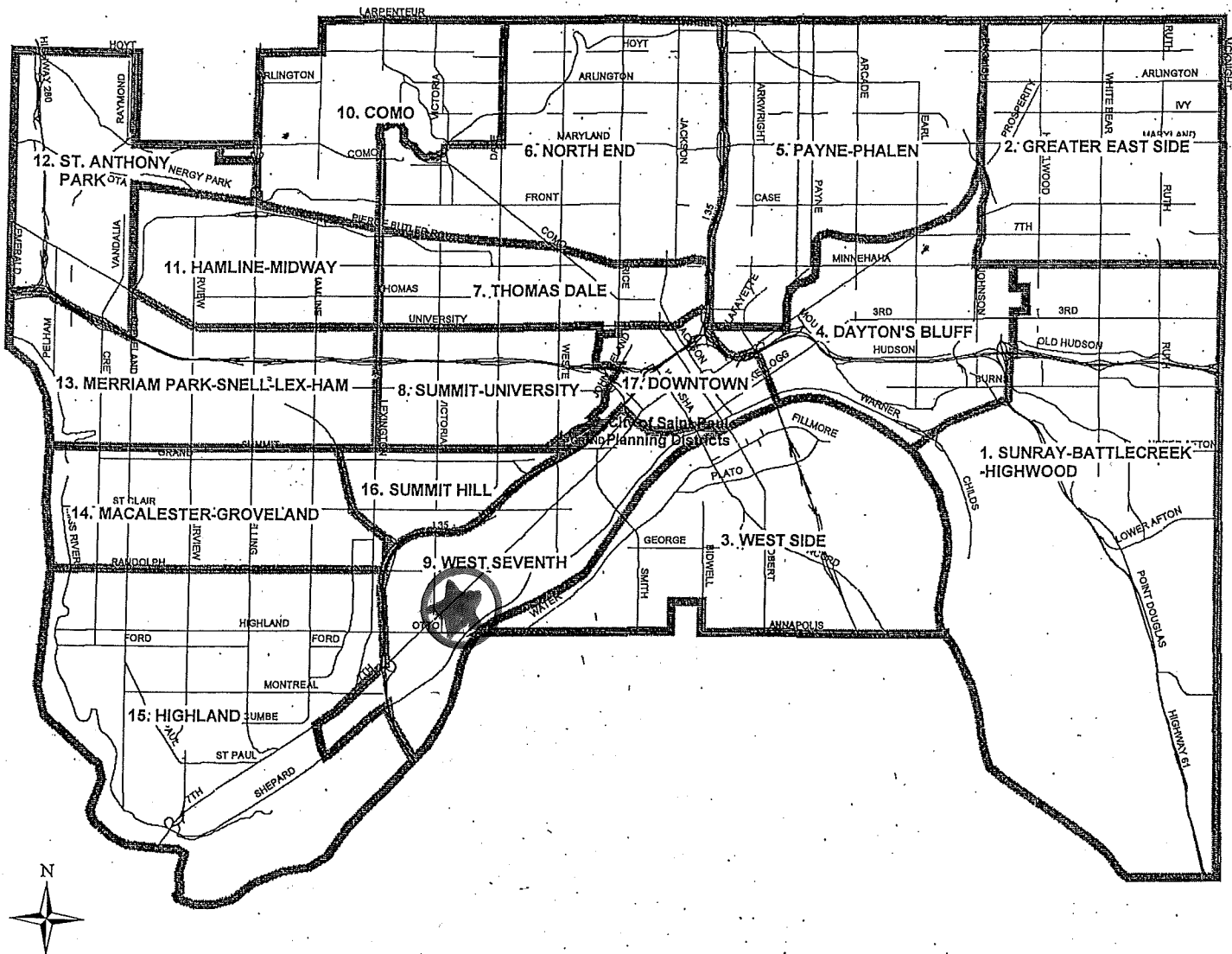


View of 1200 W 7th Street, facing northeast from Tuscarora Avenue.



View of 1200 W 7th Street, facing northwest from Tuscarora Avenue.

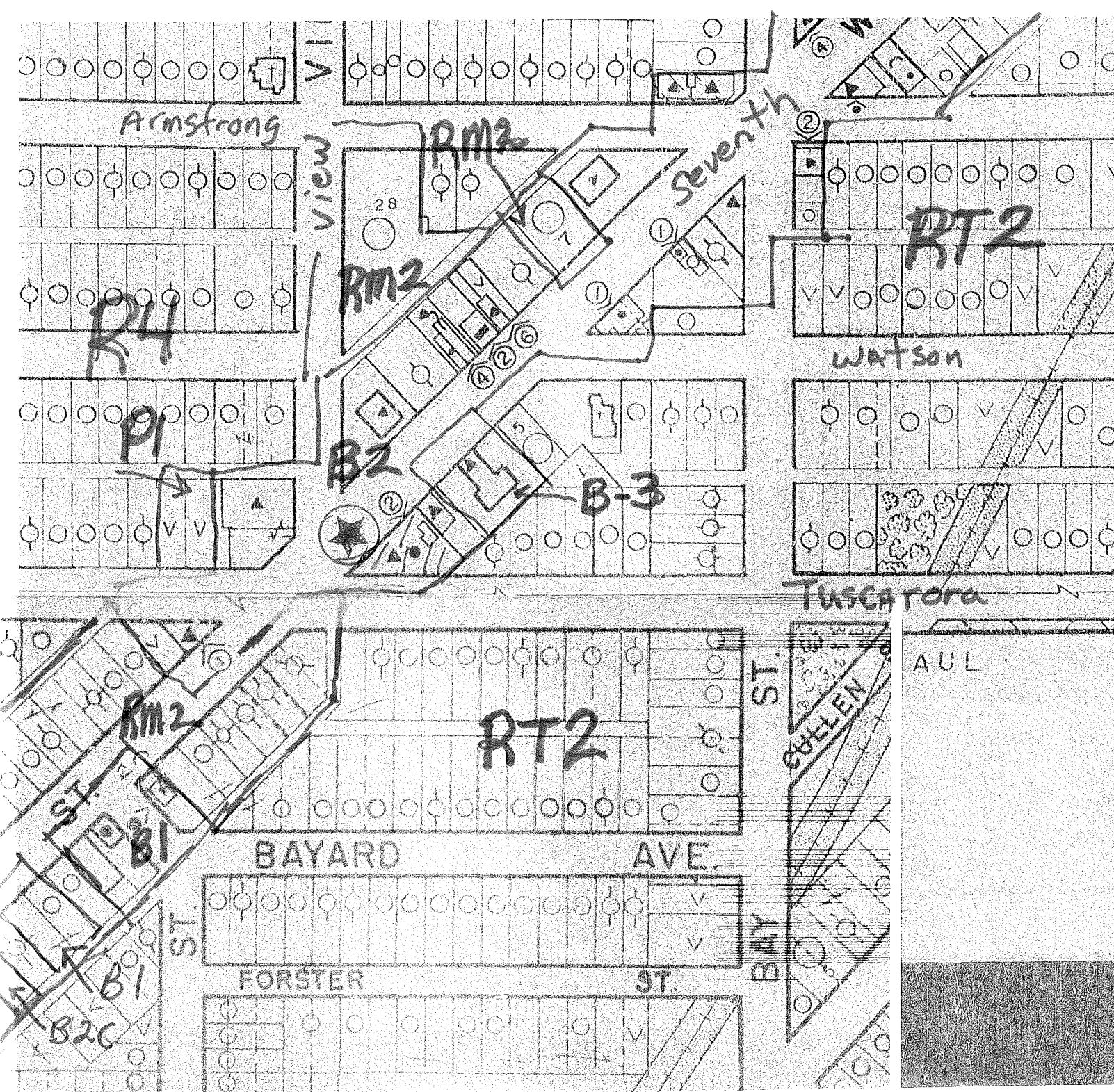
CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-004695



APPLICANT Charles Brost
 PURPOSE CHG NCUP
 FILE # 10-004695 DATE 1-11-10
 PLNG. DIST 9 MAP # 27+35

SCALE 1" = 400'



LEGEND

zoning district boundary

subject property

one family
 two family
 multiple family



commercial
 industrial
 vacant